

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In re:

**ALDERSON BROADDUS UNIVERSITY, INC., ET AL.,

Debtors.¹**

**Case No. 23-00427
Chapter 7**

**MOTION FOR ENTRY OF SALE ORDER – COAL, OIL, GAS OUTSIDE WV
PURSUANT TO TRUSTEE’S OMNIBUS MOTION TO SELL PROPERTY**

Thomas H. Fluharty, Chapter 7 Trustee for the administratively consolidated bankruptcy estates of Alderson Broaddus University, Inc. (“ABU”) and Alderson-Broaddus Endowment Corporation (“ABEC”), by Counsel Joe M. Supple, files this motion seeking entry of a sale order approving the sale of the Debtors’ interest in coal, oil, gas outside West Virginia. In support of his motion, the Trustee states as follows:

1. On May 13, 2024, the Trustee filed Trustee’s Omnibus Motion to Sell Property [Doc. # 195] (“Motion”). In the Motion, the Trustee sought to sell various items of real and personal property to Mike Ross, Inc. The Trustee also filed a Notice of Sale and Opportunity to Submit Upset Bids [Doc. # 203] (“Notice”). The Notice set forth the minimum alternative bid that the Trustee would consider for each item being sold. The Notice further provided for an upset bid deadline of June 3, 2024.

2. On May 23, 2024, the Trustee received an upset bids of \$19,000.00 for the Mutschelknaus Coal interests and \$2,000.00 for coal, oil, and gas outside West Virginia. The upset

¹ The Debtors in these chapter 7 cases and the last four digits of each Debtor’s taxpayer identification number are as follows: Alderson Broaddus University, Inc. (7072) and Alderson-Broaddus Endowment Corporation (2324).

bids were made by Crane Holdings, LLC and were for an amount equal to the minimum alternative bid. The trustee accepted Crane Holdings, LLC as a qualified bidder.

3. The Trustee, by his counsel, did not immediately notify the Court of the upset bids because the upset bid deadline had not passed for all the items being sold.

4. On June 7, 2024, after the objection deadline passed, this Court entered the proposed sale order that had been filed with the Motion.

5. At the request of the Trustee, the Court, on June 12, 2024, entered an Amended Order excluding the Mutschelknaus Coal interests and Coal, Oil, Gas Outside WV until such time as the Trustee held an auction and a high bidder was determined.

6. The Trustee held an auction on June 19, 2024. Mike Ross, Inc., with a bid of \$12,000.00, was the high bidder for the Debtors' interest in coal, oil and gas outside West Virginia. The auction for the Mutschelknaus Coal interests has not concluded.

7. The Trustee seeks entry of an order approving the sale of coal, oil, and gas outside West Virginia to Mike Ross, Inc. for the sum of \$12,000.00.

8. The Trustee will submit a supplemental proposed order approving the sale of the Mutschelknaus Coal interests once the auction has concluded.

WHEREFORE, the Trustee prays for entry of an order approving the sale of coal, oil, and gas outside West Virginia.

Thomas H. Fluharty
Chapter 7 Trustee
By Counsel,

/s/ Joe M. Supple
Joe M. Supple (WV Bar #8013)
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CERTIFICATE OF SERVICE

I, Joe M. Supple, counsel for the Trustee, certify that a true copy of the foregoing MOTION FOR ENTRY OF SALE ORDER – COAL, OIL, GAS OUTSIDE WV PURSUANT TO TRUSTEE’S OMNIBUS MOTION TO SELL PROPERTY was served by this Court’s CM/ECF system on July 19, 2024, to all parties having registered in this case under the Court’s CM/ECF system.

/s/ Joe M. Supple _____
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